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Senate Bill _____
By _____

<PrintHouse> Bill No. House No. HB0583
By Rhinehart

AN ACT to amend chapter 574 of the Private Acts of 1939, as amended by Chapter 280 of the Private Acts of 1967, Chapter 449 of the Private Acts of 1968, Chapter 51 of the Private Acts of 1987, and Chapter 41 of the Private Acts of 1993, relative to the charter of Pikeville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 574 of the Private Acts of 1939, as amended by Chapter 280 of the Private Acts of 1967, Chapter 449 of the Private Acts of 1968, Chapter 51 of the Private Acts of 1987, and Chapter 41 of the Private Acts of 1993, is further amended by deleting Section 13 in its entirety and by substituting instead the following:

The recorder shall have jurisdiction over the violation of the laws and ordinances of the town. An appeal is available to the circuit court. After the ratification of this act, the general sessions court shall have jurisdiction over all criminal violations within the municipal boundaries of Pikeville. The costs in such trials shall be fixed by ordinance. The recorder shall have power to levy fines, penalties, forfeitures and costs, to issue all necessary process, to administer oaths, and to maintain order including the power which

the court of general sessions has to fine for contempt. The recorder may remit with or without condition, fines and costs imposed for violation of any ordinance or charter provision. All fees for actions or cases in his court shall belong to the city and shall be paid into the city treasury.

The bail of persons arrested and awaiting trial and persons appealing a decision of the recorder shall be fixed by the recorder, upon such security as in his discretion he deems necessary or as may otherwise be provided by ordinance. Fines and costs may be paid by installments to be fixed and security determined as provided by ordinance.

The recorder shall keep a docket of all cases handled by him. The recorder shall be exclusive judge of the law and the facts in every case before him, and no officer or employee of the city shall attempt to influence his decision except through pertinent facts presented in open court.

SECTION 2. Nothing in this act shall be construed as having the effect of removing any incumbent from office or abridging the term of any official prior to the end of the term for which such official was elected.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of Mayor and Aldermen of the Town of Pikeville. Its approval or nonapproval shall be proclaimed by the Board of Mayor and Aldermen and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

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